

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

GARY and KELLY PIVONEY,
Plaintiffs,

V.

AARGON AGENCY, INC.
Serve at:
Cogency Global Inc.
9666 Olive Boulevard, Suite 690
St. Louis, MO 63132
Defendant.

Case No.: 4:18-cv-02022

NOTICE OF REMOVAL

JURY TRIAL DEMANDED (by Plaintiff)

NOTICE OF REMOVAL

Defendant, Aargon Agency, Inc. ("Aargon Agency"), pursuant to 28 U.S.C. § 1446, provides notice that it removes this action to this Court from the Circuit Court of St. Louis County, Missouri. Aargon Agency states the following grounds for removal:

1. On October 10, 2018, Plaintiff GARY PIVONEY AND KELLY PIVONEY ("Plaintiff") filed a civil action in the St. Louis County Associate Court, entitled *GARY PIVONEY and KELLY PIVONEY v. AARGON AGENCY, INC.*, Case No. 18SL-AC29755. A true and correct copy of Plaintiff's Complaint is attached hereto as Exhibit A.

2. Plaintiff's Complaint was served on Defendant by Agent for Service on November 13, 2018.

3. Therefore this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b) within the 30-day removal period.

4. There are no other Defendants named in Plaintiff's Complaint.

5. This action involves a federal question in that it arises under the Fair Debt

Collection Practices Act (15 U.S.C. § 1692, et seq.) (the “FDCPA”) and the Credit Repair Organization Act (15 U.S.C. § 1679) (the “CROA”). It is therefore an action of which this Court has original jurisdiction under 28 U.S.C. § 1331 and may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441(a). (See Exhibit A.)

6. Venue is proper in this district under 28 U.S.C. §1441(a) because this district and division embrace the place where the removed action has been pending.

7. Plaintiff’s Complaint does include a demand for a jury trial.

8. Defendant will promptly file a copy of this Notice of Removal with the clerk of the State Court where the action has been pending.

Having fulfilled all statutory requirements, Defendant Aargon Agency removes the action pending in the Circuit Court of St. Louis County, Missouri to this Court and requests that this Court assume full jurisdiction over this action and permit this action to proceed before it.

Dated: December 3, 2018

Respectfully Submitted,

WATTS LAW GROUP, LLC

Attorneys for Defendant

By: /s/ PATRICK A. WATTS

Patrick A. Watts, #61701

212 S. Bemiston Avenue, Suite 200

St. Louis, Missouri 63105

pwatts@swattslaw.com

(314) 669-5490

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via the Court's ECF filing system and via electronic mail pursuant to 28 U.S.C. §1446(d), on this 3rd day of December, 2018 to:

Richard A. Voytas, Jr., #52046
rick@rossvoytas.com
Nathan E. Ross, #51166
nate@rossvoytas.com
Ethan W. Gee, #70075
ethan@rossvoytas.com
12444 Powerscourt Drive, Ste 370
St. Louis, MO 63131
Phone: (314) 394-0605
Fax: (636) 333-1212

By: /s/ Patrick A. Watts